THE EXAMINER.

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THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 79.

PUBLIC EXPENDITURE.

One of Mr. WARDLE's great merits is his unaffected and plainspoken manner. The Ministers would have us believe that he is quite a gay deceiver in speechmaking, and that he makes us credit any thing by the mere gloss of words; but of all the popular Members of Parliament, of whom I have heard or read, I think he has made himself most popular with the least parade. It is not the custom of deceivers to reject artifice of style, or to say "Here are plain facts; I challenge you to the examination:" Yet this is precisely Mr. WARDLE's manner: he attempts no fancies or flourishes; he neither dilates nor digresses; to figures of speech he manifestly prefers figures of arithmetic, and is altogether so different from Mr. WINDHAM, and in every sense of the word has such strict regard to the *subject*, that he seems to have the same antipathy to foreign jokes as to foreign corps. Not that I would argue against elegance and ornament of style, for even in matters purely arithmetical there may be a manner—an air—indicative of a superior mind, just as a gentleman will count out his money somewhat differently from a clown; but strict observance of the subject is in itself a beauty; and the popular cause is strengthened and dignified in the highest degree, when we see one of it's greatest supporters affecting no popularity of style, and appealing to none of the passions. This was not the mode of English and French republicans, and certainly not of the CATILINES and other conspirators to whom the Reformists have been compared. Nor is there the least room for charging Mr. WARDLE with a vague and indiscriminate outcry against the whole conduct of state expenses, for there are various subjects of expense natural to a great state, of which he has made not the smallest mention in the way of accusation; he does not accuse Ministers, for instance, of squandering money upon the fine arts, or of wasting a single farthing in the promotion of polite literature; he does not accuse them of being over generous now and then to men of desert, of shewing too remunerating a liberality to acts of public spirit, or of giving too great encouragement to any merit whatsoever; he knows how untrue all this would be, and with what incredulity the public would receive such charges. His principal points of enquiry are on the Military Expenditure and the Collection of Revenue, and if those who *are* in office naturally differ with him on these points, those who *have been* in office and who have no interest in concealing the truth will certainly agree with him. I never met with a person of this latter description, who did not condemn the mode of settling accounts in this country, as the most inefficient and corrupt system which a credulous people could tolerate. The Secretary to the Admiralty allows that the Victualling Office is full of corruption, and that the heads of it ought to be dismissed; and Mr. HUSKISSON, who would not reply to several of Mr. WARDLE's statements for fear of taking up the time of the House, and who knows as well as any Minister, how to grant a little for the sake of denying much, confesses that the Pay-Office is in an arrear of two or three years; but there are offices at this minute in an arrear of at least six or seven years; an arrear which cannot be brought up without the erection of new offices and consequently the increase of patronage; and though these offices may be much more industrious than the parents whose duties they are to supply, yet another six years at least, perhaps double the number, are consumed in this correction of error, and as the accompts are of long standing, a hundred impediments are thrown in the way by the changes in regulation, the loss of papers, the forgetfulness or death of the parties concerned, &c. Even in this case however, it is only where some meddling spirits, some designing Jacobins, have ventured, that these remedies are at all set on foot, for the placemen have so much to conceal in their individual characters, that it is no wonder they unite in this general resistance. When any one therefore ventures into the haunts of corruption, the vapours are sure to be roused into a breath, and as we read in the modern romances, the exploring hero is always in danger of having his light puffed out the moment he opens a door. Mr. WINDHAM has openly avowed his determination to vapour and puff as much as he can in this way, and it appeared the other day, among various other official wonders, that one Mr. LUKIN, who had been summoned by the Commissioners, as I have already stated, to give an account of the sum of 159,621*l.* which he had set down under the head of General Contingencies, resisted the summons upon the plea, that this very Mr. WINDHAM, like a new Pope, had given him an absolute dispensation from responsibility!

I shall not follow Mr. WARDLE at present through his various statements, as they are in general little else *but* statements, which he promises to bring forward next Session in an argumentative shape, that shall make good all he has advanced. Some of these statements however, as they want no comment to prove their truth, want none to make their due impression upon the public. It is sufficient to know, for instance, that the Foreign Corps amount to 22,978 men, and cost the nation 1,800,000*l.* annually; and every body must feel that an establishment so flagrantly hostile both to the letter and spirit of the Constitution ought not to be tolerated for an instant:—it is sufficient

to know that military roads are made one day and *ploughed up* the next, and every body must see the shameless pitch to which the Government jobs are carried :—it is sufficient to know, that the military expenditure in Ireland has *doubled* since 1799, and every body must be shocked to see the pains that are taken to harass, disgust, and destroy that unhappy country. One or two plain matter-of-fact-inquiries, like those of Mr. WARDLE, are of more service to a nation than all the theatrical pomp and exaggeration of such men as BURKE, even though BURKE spoke daggers and flourished them too. We are almost come to a state, in which a parliamentary speech must be criticised by the rules of MALHERBE, who on being told of the great advantage a certain learned work would be *to the public*, asked whether it would lower the price of bread.

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FOREIGN INTELLIGENCE.

SIXTEENTH BULLETIN OF THE FRENCH GRAND ARMY.

Ebersdorf, June 4.

The enemy had thrown upon the right bank of the Danube, opposite to Presburg, a body of 9000 men, who entrenched themselves in the village of Engorau. The Duke of Auerstadt attacked them yesterday with the sharp-shooters of Hesse Darmstadt, supported by the 12th regiment of infantry of the line. The village was speedily carried. A Major and eight other officers of Beaulieu's regiment (one of them the grandson of Field Marshal Beaulieu) and 400 privates were made prisoners. The rest of this regiment were killed, wounded, or driven into the water. The remains of the enemy's corps found in an island the necessary protection for their re-crossing the river. The sharp-shooters of Hesse Darmstadt acquitted themselves extremely well.

The Viceroy of Italy has returned to his army, and for the present has his head-quarters at Oedenberg, in Hungary.

All the valuable effects belonging to the Court have been conveyed from Ofen to Peterwardin, on the frontiers of Servia. The Empress has also repaired thither. The Duke of Ragusa has arrived at Laybach. Gen. Macdonald is master of Gratz, having reduced the castle, which seemed disposed to make some resistance.

In the battle of Esling, on the 21st and 22d of last month, Brigadier Gen. Foulers was wounded in making a charge, and thrown from his horse. A similar accident befel the General of Division Durosnel, Aide-de-Camp to the Emperor, as he was carrying orders to a division of cuirassiers, who were charging the enemy. We have had the satisfaction of learning that both these Generals, and 150 soldiers, whom we gave up for lost, were only wounded, and that they were left lying among the corn, at the moment when the Emperor, on learning that the bridges had been broken down, ordered the troops to concentrate themselves between Esling and Great Aspern.

The Danube falls, but from the continuance of the warm weather, we fear it will rise again.

SEVENTEENTH BULLETIN OF THE FRENCH GRAND ARMY.

Vienna, June 8.

Col. Gorgoli, Aide-de-Camp to the Emperor of Russia, has arrived at his Majesty's head-quarters, with a letter from that Sovereign. He states, that the Russian army advancing towards Olmutz, passed the frontier on the 24th of May.

The day before yesterday the Emperor reviewed the whole of his guard. The inhabitants of Vienna were struck with the numbers, the fine appearance, and good condition of this body of men.

The Viceroy has proceeded with the army of Italy to Oedenburg, in Hungary. It should seem that the Archduke John intends to concentrate his army on the Raab.

The Duke of Ragusa arrived on the 13th inst. at Laybach, with the army of Dalmatia.

The heat is now very vehement; and persons well acquainted with the Danube, fortell that it will shortly overflow its banks. We avail ourselves of the intermediate period to get forward with the bridges of boats and rafts, and to secure the piles.

All the advices which we receive from the side of the enemy, concur in stating, that the cities of Presburg, Brunn, and Znaim, are completely filled with their wounded. The Austrians themselves estimate their loss at 18,000.

Prince Poniatowsky follows up his military successes, with the army of the Grand Duchy of Warsaw. After taking Sandomir, he made himself master of the fortress of Zamosc, where the enemy sustained the loss of 3000 men, and 30 pieces of artillery. All the Poles serving in the Austrian army desert.

The enemy, after the failure of their attempt upon Thorn, were vigorously pursued by Gen. Dombrowski.

The Archduke Ferdinand will reap nothing but disgrace from his undertaking. He is supposed to have arrived in Austrian Silesia, with his force, which is wasted one-third.

The Senator Wibiski has particularly distinguished himself by his patriotic sentiments and his activity.

Count Von Metternich is arrived at Vienna. He will be exchanged at the outposts, for the French embassy, to whom the Austrians, contrary to the law of nations, had refused passports, and who were conveyed by them to Pest.

[The dispatches from the Duke of Ragusa (Marmont), contained in the Supplement to the 17th French Bulletin, state that he gained a victory over the Austrians on the 16th of May, at Kitta in Croatia, in which the latter lost 400 killed, from 6 to 700 wounded, and 500 prisoners. And in another affair, on the 17th, at Gradschatz, the French are stated to have lost 300 men, and Marmont was himself wounded. Another victory is stated to have been subsequently gained by the French at Gospich, which they entered on the 23d, and arrived at Fiume on the 28th, after some skirmishes, from whence, he says, they were to march on the 31st, to unite with the army of Italy. In the whole of the actions, 6000 Austrians and Croatians are said, in this account, to have been put *hors de combat*. The loss of the French in the affairs subsequent to the 16th, is stated at 460 killed and wounded.]

EIGHTEENTH BULLETIN OF THE GRAND FRENCH ARMY.

Vienna, June 13.

The division of Gen. Chastelar which had raised the Tyrol, proceeded on the 4th of this month to the environs of Clagenfurth, in order to throw itself into Hungary. Gen. Rusca marched against it, and a severe engagement ensued, when 900 prisoners were made. Prince Eugene with a large corps manœuvres in the centre of Hungary. For some days past the Danube has risen a foot.

Gen. Gratien, with a Dutch division, having marched to Stralsund, where Schill had entrenched himself, carried the entrenchments by assault. Schill gave orders to burn the town to secure his retreat, but had not time. Schill himself was killed in the great square, near the Corps de Garde, at the moment when he fled, and was endeavouring to reach the port in order to embark.

The Archduke Ferdinand evacuated Warsaw precipitately on the 2d inst. so that the whole of the Grand Duchy is abandoned by the enemy's army, whilst the troops under the command of Prince Poniatowsky occupy three-fourths of Gallicia.

NINETEENTH BULLETIN OF THE FRENCH GRAND ARMY.

Vienna, June 16.

The anniversary of the battle of Marengo has been celebrated by the victory of the Raab, which the right wing of the army under the Prince Viceroy, has obtained over the Archduke John and the Archduke Palatine.

Since the battle of the Piave the Viceroy has pursued the Archduke John at the point of the bayonet. The Austrian army hoped to canton itself on the Raab, between St. Gothard and Kermond. On the 5th of June the Viceroy advanced from Neustadt, and established his head-quarters at Œdenburgh, in Hungary. On the 7th, he arrived at Gun. Gen. Lauriston,

with his corps of observation, formed a junction with his left wing. On the 8th Gen. Montbrun, with his division of cavalry, effected the passage of Raabnitz, near Sovenyhaga, routed 300 cavalry of the Hungarian Insurrection, and drove them towards Raab. On the 9th the Viceroy proceeded towards Sarvar.—The cavalry of Gen. Grouchy fell in with the enemy's rear-guard at Vasvar, and made some prisoners. On the 10th, Gen. Macdonald arrived from Gratz at Kermond On the 11th, Gen. Grenier came up at Kanko with a column of the enemy's flank corps which defended the bridge; he however passed the river in force. Gen. Debroc made a brilliant charge with the 9th Hussars, upon a battalion of 400 men; 300 of whom were made prisoners. On the 12th, the army passed the bridge of Merse, near Papa. The Viceroy, from a height, observed the whole hostile army in battle array. Gen. Montbrun debouched in the plain, and charged the enemy's cavalry, which he completely overthrew. The enemy had already begun to retreat: the Viceroy passed the night at Papa. On the 13th, at five A. M. the army marched towards Raab. Our cavalry and the Austrians shewed themselves near the village of Szaruch. The enemy were defeated, and we took 400 prisoners. The Archduke John having united with the Archduke Palatine, took a fine position upon some heights, the right wing resting upon Raab, a fortified town, and the left covering the road of Comorn, another strong place in Hungary.

On the 14th, at 11 P. M. the Viceroy drew up his army in order of battle, and with 35,000 men attacked 50,000 of the enemy. But the zeal of our troops was animated by the recollection of the memorable victory which had sanctified that day. All the soldiers shouted with joy when they saw the enemy, who were placed in three lines, consisting of from 20 to 25,000 men of the remains of the fine army of Italy which had already imagined itself masters of Italy—of 10,000 men under General Haddick—of 5 or 6000 men of the remains of Jellachich's corps, and the corps of the Tyrol, which had joined the army through the passes of Carinthia—of 10 or 12,000 of the Hungarian Insurrection.

The Viceroy placed Gen. Montbrun's cavalry, the brigade of Gen. Colbert, and the cavalry of Gen. Grouchy, in his right wing—the corps of Gen. Grenier formed two platoons, whereof Gen. Serre's division was the right one. In the advanced guard an Italian division, commanded by General Baraguay D'Hilliers, formed a third platoon. The reserve of Gen. Pathod formed the reserve. Gen. Lauriston, with his corps of observation, formed the extremity of the left wing, and watched Raab.

At two in the afternoon the cannonade began.—At three our second and third platoons were engaged. The fire from the musketry was severe. The first line of the enemy was overthrown; but the second withstood for a moment the shock of our first division, which being speedily reinforced, also overthrew the line of the enemy. The enemy's reserve then appeared. On his side the Viceroy, who followed all his movements, advanced with his reserve. The fine position of the Austrians was taken, and at four the victory was decisive.—The enemy, who were in complete disorder, could not easily unite, so that in no way was the movement of our cavalry obstructed. Three thousand prisoners, six pieces of cannon, and four standards, are the memorials of this achievement. The enemy left 3000 dead on the field of battle, among whom is a Major-General. Our loss amounts to 900 killed and wounded. Among the first is Col. Thierry; and among the latter, Brigadier-General Valentine and Colonel Ecpent.—[Here follows praise of the different French Generals and Divisions.]

The field of battle had long been pitched upon by the enemy, who had determined to make a stand in that fine position. On the 15th he was closely pursued on the road of Comorn and Pest. The inhabitants of the country remain tranquil, and take no part in the war. The Emperor's Proclamation has set men's minds reflecting. It is known that the Hungarian nation always desired its independence. The part of the insurrection which is now with the army was raised by the last Diet—it is in arms and does duty!

BULLETIN OF THE ARMY OF PORTUGAL.

This Bulletin, after detailing the operations previously to the arrival of the British troops, thus proceeds:—"The 10th of May, the vanguard of the Duke's army (Soult's) was on the Vouga. It was attacked by several thousands of foot, 1500 horse, and six pieces of cannon, which formed a part of General Wellesley's army, lately landed in Portugal. The vanguard retreated behind Feyra, and on the 11th re-crossed the Douro, with the division of General Mermet. The increase of the British force in Portugal, and that of the Portuguese insurgents, through the influence of British gold, had, as early as the 10th, determined the Duke of Dalmatia to effect his retreat through Amarante, Villa Real, and Braganza, ascending the right bank of the Douro. But a numerous corps of English and Portuguese having compelled General Loison to evacuate Amarante, the Duke found it necessary to pass through the defiles of Salamonde, and in order to gain two marches on the enemy, to sacrifice a few pieces of cannon and their caissons, which he ordered to be destroyed, and the remains of which would prove of no use to the English. The latter not having been able to gain any advantage on the second corps during the retreat, the only action which took place was with our rear-guard at Oporto; the English having found means to convey on the right bank of the Minho about 1000 infantry and 5 horse; they have swelled this trifling engagement into a battle, the pompous relation of which (in no point of view a military one) has had no other end than to deceive the people of London, and perhaps the Ministers themselves, in order to repay them for the immense sums of money which this expedition must have cost the British Treasury. On the 19th of May, the Duke of Dalmatia was at Aliaritz; the 20th he crossed the Minho at Orense; and the 23d formed a communication with the Duke of Elchingen himself, and the corps under his command. The arrival of the Duke of Dalmatia's army into Gallicia has been useful under every point of view. It has dispersed the bands of armed peasants, who, profiting by the movements of the Duke of Elchingen against Oviedo, had endeavoured to take possession of Santiago and Lugo, assisted by the few English troops who still occupy Vigo. Such was the state of things in Gallicia, and on the banks of the Minho, during the first days of June, and the English seemed little inclined to try their courage with the 2d and 1th corps, after their junction."

GERMANY.

AUSTRIAN BULLETIN.

Head-quarters, Wolckersdorf, June 6.

Since the great battle of Aspern, nothing of importance has occurred on either side; but the skirmishing and trifling affairs that have occurred in the mean while, have shewn anew the spirit and courage of his Majesty's troops. Opposite to Krems, Gen. Schusteck passed to the right side of the Danube with a division, and made some French troops prisoners. The enemy have sought to avenge themselves by a cannonade against the towns of Krems and Stein.

Opposite to Presburgh, on the right side of the Danube, the Generalissimo had caused a *tete de pont* to be erected; the enemy's corps, under Marshal Davoust, has made three vigorous attacks against the *tete de pont*: some battalions of the Landwher have greatly distinguished themselves in the defence of it. The troops of the Landwher had before, at Abersberg, Nusdorff, and in the great battle of Aspern, emulated the veteran regiments, and covered themselves with glory. The Hungarian Insurrection is advancing to reinforce the grand army.—Within a few days 40,000 men will be on the frontiers, and form a junction with the Archduke John, which communicates with the Grand Army by Presburg.

The greatest zeal prevails every where. His Majesty every day receives the most striking proofs of the attachment of his subjects. The Hungarian nation has voluntarily declared itself to be prepared for the greatest sacrifices. Plenty and unanimity prevail in the army.

LOUISBURGH, JUNE 13.—Letters from the French head-quarters, dated the 10th inst. at ten o'clock at night, state

that they were at that time still at Ebersdorf, though his Majesty the Emperor, with a small part of his suite, had gone to Schoenbrunn.—Prince Gallitzin, who has the command of the Russian army which has penetrated Gallicia, addressed to the inhabitants, on his arrival in that province, in the Russian and Polish languages, the following

PROCLAMATION.

"Russia could not behold with indifference the war that has broken out between France and Austria. Russia did every thing to prevent the commencement of these hostile operations. She declared even to the Court of Austria, that, pursuant to articles of treaty between the Emperors of Russia and France, and to the close alliance entered into by those two powers, she should be obliged to act in concert with France. Austria listened to none of these remonstrances, but long endeavoured to conceal her warlike preparations, under pretence that she was obliged to adopt necessary measures for her security and defence, till she at last, by open hostilities, betrayed her designs, and kindled the flames of war. Russia has no longer hesitated to take a part in a war in which she is bound to engage by the most solemn treaties. As soon as she learned that hostilities had commenced, she broke off all relations of friendship which had subsisted between her and Austria, and gave orders to her army to advance into Gallicia. The Commander in Chief of the Army entering that province to oppose the views of Austria, has received from his Majesty the Emperor express orders solemnly to assure the peaceable inhabitants of Gallicia that the views of Russia are not hostile; and amid all military operations, the security and safety of persons and property shall be most strictly respected. The Commander in Chief shall prove by his conduct that the principles recommended by his Sovereign are also consonant to his own inclinations and feelings.

Prince GALLITZIN, Commander in Chief.

Head-quarters, May 11, 1809.

ERFURTH, JUNE 10.—An Officer in the service of the Emperor Napoleon, on his way from Petersburgh to the Imperial head-quarters, brings intelligence that the Emperor of Russia, and the Grand Duke Constantine, left Petersburgh on the 25th of May, to place themselves at the head of the Russian army, which has already received orders to act with vigour against Austria.

MUNICH, JUNE 10.—We learn from Vienna that the Emperor has completed the works on the bridges, and bridge-heads. It is thought that further operations will be soon undertaken. The light corps of the Duke of Auerstadt now forms the right wing of the Grand Army, and maintains a communication with the Army of Italy, a division of which has entered Hungary. The corps of the Duke of Rivoli retains possession of all the islands in the Danube. The corps of General Oudinot, and the cavalry under the Duke of Istria, will scarcely wait for the signal to advance to the combat. They form the centre of the army. The corps of the Prince of Ponté Corvo forms the left wing. The whole of Styria is conquered by the French. General Macdonald is preparing to advance into Hungary. General Marmont is advancing to join him.—It is believed he will penetrate into the south of Hungary.

DRESDEN, JUNE 15.—On the 11th, an Austrian corps, under the command of General Amende, quite unexpectedly entered this town. It consisted of 12,000 men, with 11 pieces of cannon, and advanced unobserved by the way of Deppoldiswelde, through long untrodden mountain paths. Colonel Kielman, Adjutant to the King of Saxony, who had 3000 men under his command, being all the disposable troops left here, had marched to reconnoitre the enemy, upon learning that the Austrians had shewn themselves upon the frontiers; but deceived by a treacherous spy, who represented the enemy as scarce 600 strong, he advanced too far, and found himself suddenly surrounded by an hostile force three times greater than that he commanded, and an action took place at the Freyberg barrier. The Saxon corps, which had 16 pieces of cannon, retreated to the neighbourhood of Weisdroof, and took possession of a small wood, where it continued to defend itself for two days. At last Colonel Kielman escaped from the danger with 100 cavalry, and brought the melancholy news to Leipzic, where the Court hitherto was. Thither also the advanced guard of the Austrians immediately marched, and in the evening the greater part of their corps followed, the regiment of Erbach only remaining here, which forms our garrison. The Austrians have entered this city in perfect tranquillity.

ITALY.

ROME, JUNE 10.—This morning, under a salute of artillery, the Decree by which the States of the Pope are united with France, was announced in the principal squares of this city. The Decree, dated from the Imperial head-quarters, the 17th May, 1802, is expressed in the following words:—

Napoleon, Emperor of the French, &c. considering that when Charlemagne, Emperor of the French, and our illustrious predecessor, presented to the bishops of Rome various lands, he resigned them only to them as feaseholds, to strengthen the loyalty of his subjects, and with a view that Rome should form a part of his empire.

Considering that as the union of the two Powers, the Spiritual and Temporal, has been since that period, as it is still at this day, the source of incessant disputes; that the Spiritual Princes have studied nothing but to augment the influence of a Power which enabled them to support and maintain the assumption of others; and for that reason the Spiritual Power, which were invariable in their policy, have interfered with the Temporal, which change according to the circumstances and policy of the times:

Considering finally, that all that we have proposed to reconcile the safety of our armies, the tranquillity of our people, the interests and security of our empire, with the temporal pretensions of the Spiritual Princes, has proved in vain—

We have decreed, and do decree as follows:

Art. I. The States of the Pope are united with the French Empire.

II. The city of Rome, the first See of Christendom, so famous for the remembrances which it affords, and the monuments it contains, is declared an Imperial and free city. Its Government and internal policy shall be regulated in a separate decree.

III. The monuments of Roman grandeur shall be preserved and maintained at the expence of our Imperial treasure.

IV. The public debt is declared to be the debt of the Empire.

V. The net revenue of the Papal See shall be reduced to two millions of francs, free of all burdens and taxes.

VI. The possessions and palaces of his Holiness shall be subject to no burdens or taxes, and shall enjoy besides various exemptions.

VII. An Extraordinary Consultum of the 1st July next shall, in our name, take possession of the Papal States, and shall make such arrangements that the Constitutional Government may commence its operations there on the 1st of January, 1810. NAPOLEON.

No sooner was the Extraordinary Consulta appointed and organized, than it issued the following

PROCLAMATION.

Romans! The will of the greatest of heroes unites you to the greatest of empires. It was just that the first people of the world should divide the advantage and benefits of their laws, and the honour of their name, with that people that formerly

preceded them in the path of glory. When your forefathers conquered the world, such were the decrees of their power, and the effects of their military superiority. The desire of promoting your happiness has suggested the decree for your union. The moment that has been adopted to carry the same into effect, discovers to you the motives that have suggested it. You are become a part of the French empire at the moment that the sacrifices which were required to establish and confirm it are no longer necessary. You are called to the triumph, without having participated in its dangers.

Peruse the annals of your country.—You will find that they have long presented only a picture of your misfortunes. Your natural weakness renders you the prey of every military force that may cross the Alps. But, united with France, our strength is also yours. All the evils which sprung from your weakness are terminated.

Unhappy as a nation, you were not less so as citizens. The disease and wretchedness which prevail in your towns and plains have long since announced to all Europe, as well as yourselves, that your Princes, too much engaged in other cares, were unable to procure for you the happiness which you are now about to attain.

Romans! Not conquered, but united; fellow-citizens, and not subjects, our strength is not only yours, but our laws will secure your tranquillity, as they have already secured ours; while by this union all the advantages will be added which they have conferred, you will have lost none of those which you have already possessed.

Rome continues to be the seat of the visible Head of the Church; and the richly endowed Vatican, freed from all foreign influence, and raised above all vain terrestrial cares, shall be to the universe the parent and most conspicuous religion. Other pursuits shall preserve in your annals the inheritance of your ancient fame; and the Sciences, the progeny of Genius, patronized by a great man, and enriched by all the ancient examples and models, shall no longer depend for the support of their godlike reputation on the labours of former times.

Such, Romans, is the prospect which is opened to you for the future, and of which the Consulta that has now been made public is to lay the foundation.

To secure your public debt, to improve your agriculture and arts, in every respect to ameliorate your condition, and finally to suppress those tears for the future which the prevalence of abuses has so often caused to flow, these are the commands, this is the object of our illustrious Sovereign.

Romans! Supported by our efforts, you can more speedily for yourselves, and more conveniently for us, obtain those advantages which we possess, and of which we are desirous that you should partake.

SALICETTI,
JANNET.

PROVINCIAL INTELLIGENCE.

MUTINY.—The *Taunton Courier* of Thursday, a newly established Weekly Paper, which has been received with uncommon approbation throughout the whole West of England, contains an account of a grand field-day, on Monday last, of the West Somerset Local Militia, at Sand Hill Park, the seat of Sir J. Lethbridge, on which occasion the Taunton Rifle Corps attended, when the colours were presented by Mrs. Lethbridge. The weather was very fine, the company brilliant, and every thing promised a day of gaiety and harmony, but on the march home, a Local Militia Man had been reprimanded for leaving his company, and when arrived at Taunton, was ordered into custody; the order was resisted by a Corporal, who made a plunge with his bayonet at Colonel Holton, which was fortunately parried by Major Elton. The Colonel was slightly wounded in the wrist. The ruffian was however secured, and next morning, the regiment being disarmed by the aid of a troop of dragoons, the ringleader was punished, mercy extended to the less guilty, and tranquillity restored.

On Thursday se'nnight a labourer, in the employ of Mr. Laybourn, of Whitney, near Oxford, having retired to an outhouse greatly inebriated, was attacked by some rats. The liquor and sleep had so overpowered the unfortunate man, that he was incapable either of repelling them, or calling for assistance. He continued in an agonized state for two hours, when his groans attracted the notice of a person passing the door, and who, on entering, found a number of rats, of a large species, assembled round the feet of the sufferer, seven of whose toes had been entirely devoured by them.

On Tuesday morning, a gentleman, lady, and child, in a one-horse chair coming from Reading, through Windsor Forest, stopped at a public-house at Bracknall, to give the horse some water; the gentleman got out of the chair and took the child out; the lady would not get out: the ostler very carelessly took off the horse's bridle before he fetched the water, and left no person at the horse's head; the horse took fright, ran away with the chaise for a considerable distance, and overturned it, and the lady was thrown out and killed on the spot.

A shepherd in the employ of Mr. Jenkins, of the Woods, in Yorkshire, while skinning a sheep which had died of the rot, had the misfortune to cut his hand twice. Not aware of the danger, he paid no attention until some hours, when finding his arm highly inflamed, he sought medical assistance. The application, however, was made too late; the virus had circulated through the system, and the unfortunate man died in great agonies the following day.

PORTSMOUTH, JUNE 24.—This morning this town was most dreadfully alarmed, by the ammunition belonging to the 8th regiment blowing up on Point Beach, it being carelessly lying about the beach two days. About half past ten, one of the soldiers' wives was smoaking a pipe, when she inadvertently beat out the burning tobacco on the beach, where some loose powder was lying; it instantly communicated itself to other loose cartridges, and then to two barrels of gunpowder, which blew up with a most dreadful explosion. Three soldiers were blown to atoms; five others were badly, and four others slightly, wounded, two of which have since died. Several women and children were blown up; and others, it is feared, were blown into the harbour, as the remains of one poor fellow was picked up floating. Seventeen persons are said to have suffered. Upwards of 30 houses in Point-street have suffered by the circumstance, in having their roofs blown off, and all their windows broken.

TUESDAY'S LONDON GAZETTE.

BANKRUPTCY ENLARGED.

J. Hunterman, Queen-street, Golden-square, from July 8, to August 17, at ten, at Guildhall.

BANKRUPTCY SUPERSEDED.

T. Cox, Great Yarmouth, coal-merchant.

BANKRUPTS.

T. Hawke, jun. Great Yarmouth, millwright. Attorney, Mr. Boyce, Norwich.

R. Horton, Newport, Salop, timber-merchant. Attorney, Mr. Stanley, Newport.

W. B. Silvester, Reading, timber-merchant. Attornies, Messrs. Blandy and Sanders, Reading.

J. Farmer, Hougham, Lincolnshire, dealer. Attorney, Mr. Woodcock, Mansfield.

E. Knight, Horsleydown-lane, lighterman. Attorney, Mr. Druce, Billiter-square.

J. Heywood, Manchester, baker. Attorney, Mr. Hewitt, Manchester.

R. Swaine, Leeds, woolstapler. Attornies, Messrs. Lee and Raynal, Leeds.

J. Gray, Newcastle-upon-Tyne, merchant. Attorney, Mr. Carr, Newcastle-upon-Tyne.

T. Milikin, Finsbury-place, merchant. Attornies, Messrs. Swaine and Co. Old Jewry.

A. Geddes, Finsbury-place, merchant. Attornies, Messrs. Swaine and Co. Old Jewry.

A. M'Culloch, Upper Grosvenor-street, navy-agent. Attorney, Mr. Eves, Chapel-street, Bedford-row.

T. Sanniforth, Sheffield, cutler. Attornies, Messrs. Rimington and Wake, Sheffield.

Wm. Hamill, Chepstow, money-scrivener. Attorney, Mr. Stokes, Chepstow.

SATURDAY'S LONDON GAZETTE.

This Gazette contains an account of the capture of the Loven Danish privateer, after a short chace, having two long guns on board, also a number of small arms, and a complement of 11 men, by the Talbot sloop, Captain Jones.

BANKRUPTCY SUPERSEDED.

J. L. Reyh, Paddington-street, musical instrument-maker.

BANKRUPTS.

W. Crush, Chelmsford, upholsterer. Attorney, Mr. Adams, Old Jewry, London.

C. Mould, Tidpit, Wiltshire, corn-dealer. Attorney, Mr. Hobbing, jun. Salisbury.

R. J. Downs, Maid-lane, Southwark, baker. Attornies, Messrs. Feild and Shargold, Clifford's-inn.

P. Taylor, Sheffield, screw-manufacturer. Attornies, Messrs. Rimington and Wake, Sheffield.

G. Thomas, Pembroke, shopkeeper. Attorney, Mr. Tanner, Bristol.

S. Dunage, St. Paul's Church-yard, trunk-maker. Attorney, Mr. Hall, Coleman-street.

W. Lay, Duval's-Lane, Middlesex, dealer. Attorney, Mr. Robinson, Charter-house-square, London.

J. Forest, King-street, St. James's, baker. Attorney, Mr. Richardson, Bury-street, St. James's.

T. Brockbank, Ulverton, Lancashire, D. Wilson, J. Gillespy, and J. Taylor, Maryport, Cumberland, cotton-manufacturers. Attorney, Mr. Benjamin Thompson, Workington.

O. Brodie, South Shields, cordwainer. Attorney, Mr. C. Bainbridge, South Shields.

J. Dewhurst, Halifax, grocer. Attorney, Mr. Stead, Halifax.

PRICE OF STOCKS ON SATURDAY.

Consols....62 3/8 | Red. Ann. 68 1/4 | Omnium..3/4 prem.

THE EXAMINER.

London, July 2.

One Austrian and four French Bulletins, the 16th, 17th, 18th, and 19th, have arrived in the course of the week, but they contain nothing important relative to the two great armies. Bonaparte, occupied for 24 days in collecting the tittle-tattle of the campaign, and in contemplating, not the rise and fall of nations, but the rise and fall of the Danube, presents a singular contrast to Bonaparte, who conquers nations in half the time. The anniversary of the battle of Marengo he now leaves to the celebration of others, and the 19th Bulletin consists of a victory said to have been won on that day by Eugene Beauharnois and 35,000 men over 50,000 Austrians under the Archdukes John and the Palatine. The Viceroy is said to have pursued Prince John at the point of the bayonet ever since the battle of the Piave, till the latter having been joined by the Palatine near Comorn, in Hungary, turned round, gave battle to the French on the banks of the Raab, and again retreated. All this may be true, but the air of it is manifestly exaggerating. It is true that the Archduke retreated from the Piave, and it is no doubt correct that the French went after them with bayonets to their muskets, but the important point is whether the Archduke was compelled to retreat, or whether it was a voluntary act, in order to reinforce his brother Charles. The latter seems every way manifest, for it was his avowed intention to join the army on the Danube; the state of affairs imperiously called for this junction, and lastly, this junction has been effected in spite of the repeated attacks of the *pursuers* and the anniversary of the battle of Marengo. The Archdukes are said by the French to have had 90,000 men at the commencement of the fight, and to have lost in killed and prisoners 6000, so that by their own tacit confession, they have been enabled to strengthen their brother with upwards of 40,000 men;—an awkward thing to acknowledge, if it is true, and a very impolitic one, if exaggerated, as I dare say it is. The Russians however have entered Gallicia, and may be supposed to have been marching for some days towards the Danube. This increase of force at such a time and in such a quarter can leave but little to hope for our allies, unless the national spirit be entirely roused among them, peasant for peasant, man for man, as really does not appear to be the case: the best of Archdukes or of Generals could do nothing for a Monarch situated like Francis, and the Emperor may in vain be magnanimous, unless his people are perfectly unanimous. It is in times like these, that the finest mechanical soldiers can do nothing, and the worst may do every thing. The outrageous admirers of Bonaparte think that it is he alone who has made the French nation great, but they are mistaken; it was the French *people*, roused by oppressors and invaders, who first made their General great, and then he contributed to their greatness in return. In the mean time, to shew the world that he has not lost his confidence in fate, or his power in settling the nations, he has issued a decree from Vienna, annexing the Papal States to his empire. This was easy work after what has passed, and he probably reserved it for some occasion that stood in need of a little display. I have already had occasion to notice the singular indifference of the public Journals towards an event which would formerly have drawn every pen and every sword in Europe; and the Pope, now a mere Spiritual Chief, has quietly sunk into the state of his earliest predecessors, before worldly ambition prompted them to produce that imaginary will of Constantine, which Ariosto, a Catholic Poet, did not hesitate to place among the curiosities found in the *moon*:—

> Di varj fiori ad un gran monte passa,
> Ch'ebbe già buon odore, or puzza forte:
> Questo era il dono (*se però dir lece*)
> Che Constantino al buon Silvestro fece.
>
> *Orlando Fur.* Canto 33. St. 70.

> A mount there was with flow'rs of various dye,
> Which once were sweet, but now smelt odiously:
> This was the gift, (as sure as I'm no jester)
> Which Constantine bequeath'd to good Silvester.

The Ministers are making great preparations for an *Expedition*, which is assembling in three divisions, for the facility of junction, at Portsmouth, Harwich, and in the Downs: the quantity of artillery is greater than has ever been known on a similar occasion: one hundred pieces of various calibre up to twenty-four pounders, together with the largest mortars and howitzers, compose the battering train; 16 brigades of foot artillery are under orders, and the effective strength of the whole armament will consist of about 40,000 men. If such a force could have been employed under a *proper Officer* against the French at the beginning of the campaign in Germany, the French might

now have been measuring the earth instead of the river; but so slow and sure are we in our military movements, *i. e.* slow to go, and sure to be too late, that nobody can at all enter into the design of the armament: they say it is going to the North, but so did Sir John Moore and others, and what did they do? The Latin has a fine spirited maxim, "*Non progredi est regredi*"—Not to go forward is to go backward; but our expeditions leave out the *not*, without leaving out the truth, for with them *progredi est regredi*,—they go merely to return: they are here and there in an instant, and yet they are neither here nor there, as the phrase is, to any purpose. Talking however of *proper officers*, they have now really obtained a great General on this occasion; and who is he? No less than the Earl of Chatham, Master-General of the Ordnance, a General of whom it may be safely said, that there is not such another in all Bonaparte's armies. You may know a great man in these times by the rank he bears, as the poet singeth of my Lord Mar;—

> And thou, Dalhousie, the great God of War,
> Lieutenant-General to the Earl of Mar!

Besides, great men do great things, and my Lord Chatham can not only ride the great horse, but he has great interest, and gives great dinners: lastly, he has a great hand in the decorations of our gallant soldiers, their muffs, their sashes, their trimmings, their tassels, and their tails, all which things considered, both his great dinners and his great alterations, both his cookery and his taste in caps, I think it must be allowed that there is no General in the service so capable of giving the French a good dressing, or in other words, of trimming their jackets!

☞

Portuguese Papers arrived on Saturday.—They state that Victor's army is retreating, but they do not give any account of Sir A. Wellesley's movements.—He is said to be closely pursuing Victor.—Soult's army was in the North of Spain, and the Marquis de Romana was expected to make an immediate attack upon him.—It was reported at Lisbon on the 6th, that he had surrendered to the Marquis, but was afterwards shot whilst endeavouring to make his escape.

A rumour has been brought from the Mediterranean of the inhabitants of Genoa having risen against the French, and put them all to death.

Some private letters from Holland were received on Friday, which state that the French have entirely evacuated Hamburgh and Bremen; and that a general commotion has taken place in Westphalia, in consequence of which Jerome Bonaparte has fled to Frankfort.

Miss Meadows.—On Friday a Coroner's inquest sat on the body of this young lady, who was a singer at Covent-garden Theatre, she having died suddenly on the preceding day. The deceased was riding along the Pancras road on a piney, in company with her father, when she complained of indisposition, and begged to lay down. A hay-cart was passing at the time, and the young lady was put into it, where she died in a very short time. Her pain was a kind of spasm in the chest.—Verdict—*Died by the visitation of God.*

At the Old Bailey, yesterday, *Charles Henry Revenscroft*, a young man of genteel appearance, was found guilty of forging and uttering as true, an order on *Masterman, Peters and Co.* bankers, for the payment of 15*l.* purporting to have been drawn by Messrs. M'Inneey and Co. Navy Agents, Adelphi.

After this trial, *Miss Yorke* was put to the bar, dressed in deep mourning, and accompanied by a female friend. She was indulged with a chair at her request. The indictment against her was for feloniously and maliciously shooting at Robert Coombes, with intent to kill and murder, on the 14th of May, in the parish of Sunbury. The case has already been described in the *Examiner*; the only novelty in it was the fact, that when the gun was fired the prosecutor was 15 yards off, standing behind a tree. The prisoner was described as a young lady of an amiable temper; and in defence, she denied having an intention to harm any one, but she fired to rid herself of the impertinence of the trespassers on the grounds. The Jury acquitted her.

THEATRICAL EXAMINER.

No. 47.

LYCEUM.

The theatre in this place has undergone a very pleasing alteration in it's appearance, and was opened on Monday, by a licence from the Lord Chamberlain, for the performance of English Operas. It commenced with a piece in three acts, called *Up all Night*, or *the Smugglers' Cave*, from the pen of Mr. Arnold, the manager. The story relates the vagaries of a young gentleman who is destined to be the husband of a lady he never saw, but not chusing to take so mere a chance, introduces himself to her family in the disguise of a naval officer, and by his heyday vivacity obtains the good graces of the Admiral her father; a busy rival, however, intrigues against him, and persuades the old gentleman that his visitor intends to run away with the lady; a night frolic in the garden gives a colour to the story, and the Admiral hires a set of smugglers to kidnap the supposed midshipman, who is accordingly carried off to their cave: his mistress follows him in the same disguise, and the restless anxiety of the family, when she is missed at night, gives the piece it's first title. The lovers escape from their prison, and the lady returns to her father to keep up the jest a little longer by assuming the Irish brogue; she is taken for the unknown ravisher, and locked up in a room, when her lover himself appears, and upon his disclaiming all intentions of the kind, the stranger is called out into the room as the undoubted criminal, when instead of the Irish officer, the lady appears in her own clothes, every thing is made manifest, and the lovers are made happy.—If these incidents are lame, it must be put to the account of their old age: Mr. Arnold has sense enough to discard the grosser pertness of his brother dramatists, with their puns and their perpetual caricature; but then he has no humour to supply its place, and his Pegasus becomes a mere jog-trotting hack, with not even a sprightly vice about him. The present piece is a composition of quack medicines from beginning to end, and after all not so palatable as the usual doctor's stuff, for there is not a drop of spirit in it: the songs are made up of the usual changes upon *flower* and *bower*, *heart* and *impart*, *prove* and *love*, such as leave the reader in doubt whether the rhymes were written first or last: the principal humour consists in the parrot trick of repeating a certain phrase now and then, and the Admiral informs us accordingly, at decent intervals, that he was "midshipman aboard the Thunder

Anno Domini one thousand and"—something: lastly, the principal characters consist of a due mixture of generosity, good nature, and naval uniforms: one man talks of Nelson's glory; another of benevolence; a third, a common sailor, is offered ten guineas for a secret, and of course refuses them; and the hero in his midshipman's disguise insists with much noble ardour on the inherent gentility that belongs to a blue coat with white edging. Such is dramatic authorship and tailorship: the stage is a huge dish of *cramb-rep-lia*, twice-cooked vegetables, in which to be well dressed means the same as to be well done: if the author has a set of bad habits he procures better ones from the tailor to cover them; and so small a part of itself is the character, that as musicians are contented to be called by the names of their instruments, and we say Mr. Ashley is first violin and Mr. Park first oboe, so with much greater reason ought the personators of our dramatic navy to be ranked according to the interest and importance of their respective dresses: in the present piece, for instance, instead of saying *Admiral Blunt* by Mr. Dowton, *Young Heartwell* by Mr. Philipps, &c. it should evidently be—

First Cocked-Hat, - - - - - - Mr. Dowton.
Principal Trowsers, - - - - - - Mr. Philipps.
Principal Pigtail and Tobacco-Box, Mr. Smith.

The music, by Mr. M. P. King, is well suited to the words, not only in its expression, but in its good old age. It is not deficient in taste, and indifferent music will always be more tolerable than indifferent writing, because it appeals to the senses more than to the sense; but I have no hesitation in saying, that neither in the words nor the music of the new Opera is there a single idea or turn of composition, that has any claim to originality. The great novelty of the performance was the appearance of two new singers, Messrs. Horn and Philipps, the latter from Dublin. Mr. Horn's voice and style are delicate and tasteful, though of small power; Mr Philipps's, to both these qualities, joins greater power and more various expression: his execution of *Sigh not for love*, was terse and playful, and received considerable applause. Both the singers may consider themselves lucky in having made their appearance at a small theatre, though they both excel all the other London singers in gentility of acting: Mr. Horn seemed to want confidence, but Mr. Philipps dashed through his speeches to the ladies with a grace that seemed to astonish the hearers of Braham and Incledon: perhaps it would be better for both if they were to borrow somewhat from each other, Mr. Horn a little boldness, and Mr. Philipps a little subduement. The Opera was altogether well sung, though neither Mrs. Mountain nor Mrs. Bishop seemed in their full powers. As to Mr. Doyle he is as bad in a solo as he is good in a glee: he had one song, which by his manner I took to be of a most melancholy nature, but on turning to the words, I found it was intended to be majestic. As a witty brother critic observed, I believe, on a similar occasion,—"he and his diaphragm had it all to themselves;" or I may apply to Mr. Doyle's voice what was answered by a facetious friend of mine, when he was asked where a brother wit was, who used to [illegible] his chin in a gulf of cravat, "I don't know, I'm [illegible] he's in his neckcloth." Certainly there is [illegible] amounting to suffocation in some of Mr. [illegible] when he sings complainingly, he reminds [illegible] complaint in the throat: his voice is a pathetic

Upon the whole, the new Opera does not promise much for Mr. Arnold's theatre: Mr. Arnold is a degree above Cherry, and Mr. King some degrees above Reeve, but much better writers and composers are necessary to reform the public taste. The engagement of Mrs. Bishop, however, leads one to hope, that her husband will be employed to exercise his scientific pen on the occasion; and though the overthrow of the Italian Opera is not to be atchieved but by a change of the system of education in high life, yet much good may and ought to be done to the public taste, by the encouragement of rival theatres. If the little Opera-house be conducted with propriety, it will soon give a trying lesson to the Haymarket, which has already disgusted the better part of the town with its vulgar revivals, and its worse audiences: the facilities it affords to all kinds of people may fill it for a time, but these "good houses," as they are called, are not very different in my opinion from bad houses. I confess I expected something better when I heard that Mr. Colman was to give up the management. The other night, Thursday I think, I saw the profligate farce of *Barnaby Brittle*, which is imitated from Moliere: it is written to shew the stupidity and misfortune of old men who marry young wives, and so far is a proper ridicule, but instead of punishing the adulterer as well as the old man, the piece ends with perfect triumph on the part of the debauchee, and the moral is at best like the figures that sometimes appear at masquerades, half a painted jilt on one side and half a rotten skeleton on the other. In this despicable production, a rustic is made to take some such oath as "the Devil fetch me," and then to say, "there—I have sworn by my Maker!" Who can have a heart to enjoy even the best humour or to praise the best acting, after such rank nonsense and blasphemy as this! If the decent and sensible people who frequent the pits have any respect for themselves, for the town, and indeed for the nation, they will drive the piece from the stage.*

Mr. Theodore Hook's farce, entitled *Killing no Murder*, makes its first appearance to night (Saturday) but as the *Examiner* goes to press some time before the commencement of afterpieces, I must postpone the criticism upon it till next week.

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* A fight in the boxes between some wretched females broke out in the middle of the performance, and made a harmony with it truly infernal.

THE OPERA.

TO THE EDITOR OF THE EXAMINER.

Mr. Editor,

The pen of Signor Buonaiuti, like the wands of our pantomimic fairies, possesses the power of transforming every thing it touches, and avails itself of that power as often as an opera is produced at the King's Theatre; thus the new piece bearing the pompous title of *Sidagero* is nothing but a sacred drama converted into a profane shape, with every name changed, the scene removed from Jerusalem to Zealand, and, in short, to use the Poet's own words on a former occasion, the whole "totally altered and re-written." The subject of the piece in its present state is an attack made by the inhabitants of Jutland on *Sidagero's* capital, in which that king and family are taken prisoners and sentenced to death, but respited till the fall of the curtain, in order that they may not be deprived of the plea-

sure of singing in the finale. The music is the composition of Guglielmi *le fils*, and gives me no reason to congratulate the musical world on his arrival in this country, being destitute of any striking traits of originality or science, likely to improve the present degenerated taste. This Opera has been produced principally for the purpose of bringing forward Signor Tramezani, a tenor singer of superior talent to any that has appeared on the Opera stage, Braham excepted, since the days of Viganoni; indeed there is some resemblance in his style to both those performers, having the force of the former without his execution, and the tenderness of Viganoni without his delicacy. His figure is manly, his action dignified, and his voice possesses a rich mellowness and strength of tone, rately to be met with, and superior to that of any Italian singer now in the country; nor is he deficient in talent as an actor,—his general conception of character is just, and will be much improved when he restrains the violence of action so prevalent among foreign performers. There also appears too great inclination to fall into that common mistake among singers and dancers, that it is impossible to please without laughing; for though he does not, like Catalani, laugh outrageously whenever he talks of death or torture, yet he loses no opportunity of smiling when he can do so without very gross impropriety; but as he certainly is ambitious of acting well, it is to be hoped he will reform these defects, and become a most valuable acquisition to the company, in relieving us from the frittering flourishes of Siboni and the unpolished rusticity of Righi. Signora Bianchi and Signora Calderini, who made their first appearance on the same night with Tramezani, are both singers of inferior merit; yet the first is not unpleasing, from her unaffectedness, her propriety of action, and her good taste, which triumphs over the defects of a very bad voice. Calderini has no qualification for the stage either acquired or natural, but want of timidity; her voice is harsh and croaking, and her delivery of recitative a series of unconnected *staccato* shrieks, without variety of emphasis or modulation. H. R.

FINE ARTS.

STATE OF BRITISH ART AS EVINCED BY OUR LATE EXHIBITIONS.

If our annual Exhibitions are to be considered as criteria of the state of national taste in the Fine Arts, it must be confessed that it has not yet reached the beautiful and sublime in poetic and historic composition. Out of near 900 pieces in painting, sculpture, and architecture, at the Royal Academy, not more than 8 displayed superior excellence in the higher departments, and some of those do not now adorn the amateurs but the artists rooms. In the British Institution Exhibition of Oil Paintings there are not above 6 superior works in painting and sculpture, a part of which only are purchased. Indeed not more than a few hundreds have this year been obtained at these Exhibitions by the superior artists, a sum daily expended by some rich courtier on a mere dinner given to gratify his pride. Though our brilliant artists are few, the patronage is by no means proportioned to the talent, and, excepting a few liberal and tasteful individuals, our rich aristocracy have no relish for refined art. Their relish is chiefly confined to the comparatively tinsel splendor of dazzling equipages, sumptuous household establishments, feastings, and similar expensive and grovelling pursuits. Indeed, so entirely has the frivolous customs of meretricious fashion obtained the ascendancy over the chaste graces of art, that it is even become unfashionable to ornament the inferior rooms of a house with the elegant and instructive productions of the graver, which are wholly discarded from the eye except on occasional inspection of the portfolio. This shews a most pitiful taste in him who prefers it, for except in those rooms appropriated to the unequalled embellishment of paintings, all the decorations of stained paper, gilding, &c. are childish in comparison with the substantially tasteful ornament of select prints. This dearth of taste for Poetic and Historic art is in no instance so disgracefully exemplified as at the British Institution, an establishment peculiarly professing to encourage the arts. There the wealthy amateur purchases the productions of the younger and secondary artists, whose pieces demand but a comparatively small sum, while the established and venerable artist in vain presents his more perfect and more expensive work. This is but sorry encouragement to the younger artists. It is as much as to say to them,—"You shall have a pittance to support you while you are acquiring a character; but when that is fixed, you shall live how you can on the moonshine of a name." This species of patronage will go but very little way either to establish the arts or the character of patrons. For several years past the noblest paintings have been returned unsold, while *none* but landscape, familiar life, and cheap secondary works in history, have been purchased. Let me with a feeling of pride in our possessing such an artist, and of shame at the neglect of him by our rich aristocracy, instance the venerable President of the Royal Academy. His *Cicero discovering the Tomb of Archimedes*, his *Telemachus and Calypso*, and his *Death on the Pale Horse*, equal to the best of Michael Angelo's for terrific grandeur, were unsold at former Exhibitions of the Institution, as is his *Harmony of Affection*, in the one which is now on the eve of closing—a picture equal in colouring to the best of Titian. In the face of ignorance, which is blind, and envy, which shuts its eyes, I challenge the possessor of the finest collection of the works of the old masters to instance to me any of their pictures as superior to those I have named, in colouring, anatomical science, variety and dignity of expression. I challenge any of the collectors of prints from the works of the old masters, to shew me one that has more pathos and dignity than the Shakespeare print of *Lear*, engraved in so unsurpassed and bold a style by our countryman Sharpe; and yet the grand picture from which it is copied, was, to the eternal disgrace of our boastful amateurs, suffered to be purchased at a public auction by an American gentleman for half its original cost, and sent to Philadelphia. With the exception of a very few enlightened minds, let us then hear no more of our vaunted connoisseurs, who shew by their neglect of modern excellence that their possession of the noble works of the old masters is not the result of their love for and taste in art, but the effect of their prejudice and their pride.

In familiar life, landscape, and portrait painting, taste, talent, and patronage, are more extensive. In them all our late Exhibitions were constellations of excellence.

Numerous canvasses reflect the various beauties of Rural Nature with animated accuracy. The human heart in Domestic Life, with all its various interesting incidents, are

painted by Wilkie with unsurpassed accuracy, and Bird, who follows the same path, promises similar proficiency. Heaphy is spirited and natural, but he delights to grovel in the disgraceful and disgusting scenes of human depravity. In the less noble art of Portrait Painting, but more endeared to the human heart by the tenderest sympathies of love and friendship, our artists are perhaps more numerous and excellent than ever were known at one period, in any country. In Architecture, we have several pleasing artists, but little originality independently of Gandy. In Statuary we have some brilliant geniuses, and three pieces by Flaxman, in the Royal Academy Exhibition, displayed a beauty and sublimity worthy of the most renowned eras of Greece. But the dignified Muse of Sculpture, like that of Painting, is not generally nor justly appreciated, and she appears to have charms only for a select and superior few. Indeed, it is the Government alone which must give the prevalence and the tone to public taste. The public patronage and purse always united with genius in fixing the great eras of art. Pericles, Alexander, Augustus, the Medici, and Lewis XIV., heads of their respective states, established those eras by their munificent patronage. Our Parliament gives an occasional order for raising a monument to the memory of a gallant officer; but this is done with such a coldness for the art, and such a limited expenditure, as to render the benefit trifling; and Painting is altogether neglected. It is not a little surprizing, that the members of the two Houses, men of the first education, and consequently from whom an eager relish and a refinement in works of art might be naturally expected, shou d publicly sit for months together, and not be inclined to propose that their naked walls should be usefully adorned with some noble incidents in our history.

R. H.

Several years since a subscription was commenced for the erection of a grand Naval Pillar in honour of Lord Nelson. Between 4 and 5000l. being only received, a sum insufficient for the purpose, Mr. A. Davison, the Treasurer, returned the subscribers their money, with the whole of the interest thereon, and suggested to them the propriety of dividing a remaining balance of between 4 and 500l. among the Artists who had submitted designs for the Pillar. The liberal suggestion was unanimously adopted.

A VETERAN AND HIS REWARD.

Thomas Bradford, son of the Rev. John Bradford, late Vicar of Holne, Devon, at an early age entered the navy as a Midshipman, and having served five years in that capacity was discharged, the war being terminated: he then enlisted into the army, where he has been actively employed until the return of our forces, under Sir David Baird, from Spain; when, on account of long and trying services, he obtained,—what? *his discharge!*—In the military service he has passed 32 years of his life, during 30 of which he was constantly out of England, and in this period has been actually engaged with the enemies of his country in 104 battles, that is, in 5 actions at sea, and 99 on land!!—In the course of which he suffered exceedingly from unwholesome climates, and inclement seasons, from shipwrecks, sickness and fatigue, and from extreme hunger and thirst and starvation; added to which he now labours under the infirmity of deafness, from firing off a cannon, which, after 170 rounds began to melt, but not before the numerous and rapid explosions had caused blood to pour from both his ears. This gun was twice manned, and out of 16 persons employed, all were killed or wounded, except himself and 2 others.

At Bervil Camp, Guadaloupe, under Brigadier-General Graham, 300 British and 250 Loyalists, out of 2500, the rest being sick from fatigue and the unwholesomeness of the climate, were stormed by 7000 of the enemy, who were completely repulsed that day. But having to engage this very superior force for 9 days successively, the General being wounded, and Major Forbes killed, Captain Stoving was obliged to surrender for want of provisions and ammunition; when 2318 were taken prisoners, among whom was Bradford, by Victor Hughes, who kept them on board prison ships, for two years, on a scarcity of water and unwholesome food; from which barbarous and inhuman treatment only 80 survived. At Bervil Camp Bradford had four narrow escapes:—a bullet passed through the sling of his firelock; a cannon-shot carried off part of his musket; the blowing-up of a magazine shattered to pieces the hut in which he was at only a few yards distance; and five out of eight (sitting together) were killed or wounded by a cannon-ball.

He was at the taking of Fort Bombard, St. Domingo, to which place they marched from sun-rise till 12 o'clock at night, when a number of them dropped dead, from excessive heat, fatigue, and want of water. And, finally, in Spain, "where" he says, "we had to retreat 200 miles before the French army, consisting of a force enormously superior. From the excessive fatigue, inclemency of the season, roads almost impassable, forced marchings and other various hardships incident to a retreating army, numbers died on the road, men, women, and children: and at the Battle of Corunna, I was stationed at the colours, where 4 officers and 3 serjeants were killed and wounded, and I had 5 balls pass through my clothes, notwithstanding which, I providentially escaped unhurt. But the greatest, indeed the only hardship of which I complain, is that of not being permitted to accept of promotion when offered me by a Colonel in the Horse, when I had been 17 years in his Majesty's service; although the officer who refused me, frequently expressed himself my sincere friend, and said he would do any thing to serve me."

Thus, at the decline of a long life of almost unexampled perils and sufferings, a veteran soldier, instead of obtaining that rank * and those advantages in the army which would enable him to enjoy with his numerous family a decent competence, finds himself compelled to seek a maintenance by trade. Mr. Bradford has announced his intention of employing himself as a Coal-dealer, and it is to be hoped he will meet with that protection from the public which he has in vain sought in the army.

It may be said, that the revenue of the country will not support every man who has suffered in his country's service. This plea may be endured, when we hear no more of Clerks of the Meltings, Wardens of Cinque Ports, Tasters of Wine, and Tellers of Exchequer, but not till then. Why should the Beresfords enjoy their 1000*l.* a-year each,—my Lord Liverpool his 4000*l.*, and Earl Camden and the Marquis of Buckingham, 23,000*l.* a-year! for doing absolutely nothing; while a man like Bradford,

* Bradford, when he obtained his discharge, had only risen to the rank of a Serjeant.

after 32 years active service, is dismissed in poverty? Compared with such "an established order of things," the plagues of Egypt were absolute blessings. It is impossible good can come of it; and all that is left a thinking man to hope for is, that the time will speedily arrive when the splendid Tyrant of France may not only lavish the revenues of his empire in places and sinecures, but call to his councils such Statesmen as Mr. PERCEVAL, Lord CASTLEREAGH, and the Duke of PORTLAND,—and send into the field such Generals as Sir HEW DALRYMPLE, Lord CHATHAM, and the Duke of YORK!

DELIVERANCE OF EUROPE.

TO THE EDITOR OF THE EXAMINER.

SIR,—You say that "The crisis of Continental Delivery from France, or its final subjugation by that Power, is fast approaching." The word delivery is applied according to the object to be delivered; thus if a felon is in expectation of being rescued from a jail, his felonious companions contrive how to deliver him from judgment and the gallows; but I presume, as it is used by you, we are to understand that the Continent is to be delivered from the oppression of France, and that the old legitimate Governments are to be established upon their former footing, and under them the Inhabitants are to enjoy all the great blessings and freedom which they possessed previous to the downfall of their former Rulers. Now, Sir, I am no Jacobin, and like Miss CLARA JUPP, care not for the Minister, nor an hundred Ministers; nor am I afraid of his having recourse to Lord ELDON's awkward way of teaching me to possess a due regard for him—I am a real friend to my Country, and am anxious that the throne of King GEORGE shall stand secure amidst the revolutions of States and Kingdoms; but I cannot see how the independence of this kingdom can be preserved, unless the country is delivered from the grasp, the wicked and the foolish measures, of those men in whom the KING has unfortunately placed his confidence. I am sorry to see so useful a paper as *The Examiner* join the whining and ignorant lamentation over the ruins of legitimate Governments, as they are termed, and the established order of things. It would be certainly a mysterious occurrence in the events of Providence, were the conquests and power of France to be limited by so corrupt a State as Austria; nor can it be reasonably expected that the course of Almighty vengeance is to be stopped by that very power, against whom its chiefest operation has been directed, in lopping off those dependencies which afforded it the means of exercising its lawless ambition at the expence of the freedom, lives, and domestic happiness of the inhabitants of those provinces against which its tyranny was directed. Taking an early view of the subject, at the commencement of the French Revolution, what has France done against her enemies more than her enemies would have done against her? Surely we can recollect the blustering efforts of the Duke of BRUNSWICK, and the Duke of YORK, with his forty thousand men, marching to Paris; we can recollect all the scenes of horror and destruction which were instigated by her implacable enemies against her, till she rose from the smoke and confusion of her political conflagration, and awed her enemies into submission: we must bear in mind that the present opposers of France (her Continental enemies, I don't include England, you know) are branches of that corrupt system which prevailed in France under the old dynasty, and which produced the Revolutionary explosion which hurled it to destruction;—and it was expected that these enemies would be violent in their opposition against any innovation of a system so intimately connected with their own, and which would be productive of disaffection amongst their subjects, by teaching them the doctrine of civil rights, and of the responsibility of the Governors to the governed, and by tearing from their eyes the slavish veil of passive obedience and non-resistance to their pretended divine right over the property, freedom, and consciences of their subjects. But no man of common sense was apprehensive of the success of their raging opposition, but on the contrary, saw that that opposition would hasten the crisis they were leagued to prevent. But now let us balance the account, and see how much France is indebted to justice (at least with their enemies' ideas of justice) in the measures she has taken and the victories she has won.—France has conquered her enemies; that is by no means unfair: she has extorted great contributions from the inhabitants of the conquered countries; that is a hard case, but the whole revenue of France would not have satisfied her enemies: she has put down their Rulers and imposed laws and Governors of her own; why to be sure it seems a very strong measure, but I should suppose the Inhabitants had some hand in this, or at least did not grumble much about it: however, this point cannot be decided without inquiring among them, for the English Newspapers are not worthy of credit: but France no doubt has been accurately surveyed by her enemies, and would have been shared as regularly among them as an Englishman slices a plum-pudding. But she is unbounded in her ambition; she leaves nothing for her enemies to conquer; that is rather ungrateful, for whenever England gains a great naval victory, she always suffers France to gain the next; however, England has not much reason to complain, for she is equally victorious in India; there she can rival her enemies in tyranny, murder, and plunder; in destroying provinces, burning towns, dethroning legitimate Sovereigns, and committing new crimes a thousand different ways.—England of all other Powers ought to have stood aloof from such a contest; she had no interest in the contention, when we reflect that her Constitution was free, that the Rights of the People were duly ascertained, and equally poised with the power and dignity of the Crown, and is in direct contrast to the tyrannical Powers with whom she leagued in opposition to France. Instead of being the instigator, the *primum mobile*, the payer and fighter of all the battles with France, she should have been the mediator and the soother of the differences which arose: she then would have retained a dignity which all the world would have bowed to, and by these means have prevented the downfal of those Powers, which at different times, by her worthless Ministers, were bribed, cajoled, and bullied into their destructive measures.

It seems impossible, under these reflections, that Austria can be eventually successful, but that her Imperial Crown must fall; the deliverance of the Continent or of Europe will not I believe be effected by her success against France, nor of restoring (or rather enslaving) the States of Germany to their former dependence upon that Dynasty, which appears to be fast hastening to a final dissolution; and as to the check which BONAPARTE has received, which has been magnified into a splendid victory, and which has

thrown our wise Ministers into their former delirium (for they begin to talk wildly about the balance of power, the salvation of Europe, of armies and subsidies, and perhaps religion will come halting in again by and by to grace their speeches) nothing can be more fallacious than this supposed victory; a few days, and all this exultation will sink into woeful disappointment; and Austria, like PHARAOH'S Magicians, will be compelled to say, when reflecting on her overthrow, "This is the finger of GOD."

A CONSTANT READER.

Whitchurch, June 23, 1809.

FASHIONS FOR JULY.

FULL DRESS.—A round convent robe of Egyptian brown tissue, worn over a white satin under-dress, ornamented at the feet, and round the bosom and sleeves, with a broad antique lace, put on rather full, and brought to the narrowest dimensions in front of the bosom. White satin appliqued stomacher, embellished with gold lattice-work, and continued in a straight line down the front of the robe to the feet. Head-dress, a gold net caul, inclosing the hair behind, and finished in front with a Mechlin veil of uncommon delicacy, disposed in graceful negligence, so as to display the hair on the forehead, and falling over the left shoulder. Necklace and armlets composed of a single row of fine Bohemian pearl, with topaz or diamond snaps. A Grecian scarf of rich Andalusian silk, happily contrasted with the colour of the robe, and wrought at the ends in a deep Tuscan border of gold or coloured silks. White satin slippers, trimmed with brown foil or gold. Gloves of French kid. Opera fan of white crape, decorated with a border of jessamine.

PROMENADE DRESS.—A round high frock of fine French cambric, or the most delicate plain muslin, trimmed at the feet, wrists, and throat, with a fine Vandyke lace; the bosom formed in alternate stripes of footing lace and needle-work. A Tyrolese cloak of shaded lilac sarsnet, edged with Venetian binding, and terminated with a trimming of broad white lace, put on full. A double frill of the same round the throat, clasped, in front with silver or cut steel. The hair dressed compact, in the Grecian style. A veil *a la Maltese*, of the most transparent texture, edged in rich vandyke, is thrown with simple elegance over the whole, softening the countenance which it partially displays. Sometimes the head is covered with a small French cap of silk, the same as the cloak, or of a well-contrasted colour. Parasol to correspond with the cloak, with deep white Chinese awning. Slippers of the same, or of lemon coloured kid. Gloves, Limerick or York tan.

LAW.

COURT OF CHANCERY.

FIELD *v.* RYAN.

A case exactly similar to that of the late Lady Strathmore, with respect to the forcible means had recourse to, in order to induce her to assign her property to her husband, was on Friday brought before the Court. The estate is in Yorkshire, and the compulsory deed was signed in Flanders. Mrs. Ryan is now dead, and the family heir-at-law sues for the recovery of the estate for the surviving husband. The Chancellor granted an injunction, and directed an issue at law.

COURT OF KING'S BENCH.

Tuesday, June 27.

TOWNSEND AND MARTIN *v.* PENDOCK BARRY NEALE, ESQ.

The ATTORNEY-GENERAL stated the plaintiffs were the Windsor Herald and Blue Mantle Pursuivant at Arms, who brought their action to recover 281*l.* for business done for the defendant, who was a gentleman of large fortune in Nottinghamshire. He was a country squire, with all the hospitality, and more than the ordinary share of vanity belonging to that class of gentry. In September, 18[illegible]4, he came to the College of Heralds, where Mr. T. and Mr. M. were in attendance for the day, and requested to have his pedigree drawn out, with the arms of all his ancestors, emblazoned in a splendid manner, and gave instructions, from which it appeared that he was descended from Royal Blood. After tracing his ancestors for some time, it was found that the blood of the Neales, the Pendocks, and the Barrys, flowed from the ancient Kings of Normany, of Saxony, of Ireland, and of Scotland, besides being also descended from Fulke, King of Jerusalem, and from Cadwallader the Great, of Wales. The defendant was shewn a large pedigree upon one skin of vellum, but as there were more than would fill a skin of his ancestors, he said he would have two or more. Whenever any connexion could be traced with Blood Royal, he was most anxious to have the whole lineage inserted in his pedigree. The plaintiffs were employed a considerable time in drawing out this pedigree or family tree, and at various times supplied him also with a number of sketches of arms for paintings on his windows, which were to be executed by Messrs. Parker and Perry. While this was going on, the defendant was very anxious to see the plaintiffs at his home, and sent for them down to Allerton Hall, in Nottinghamshire, where he feasted them on venison, claret, and champaigne, for a fortnight, and then sent them back to their official duties.—Not satisfied, however, with mere good cheer for their labour, they ventured to ask for money, and the defendant requested to know what they had done, and demanded their bill. They had as yet only made a rough draft of the pedigree, and supplied drawings for the windows, and in part proceeded upon the drawings on vellum of the coats of arms. Their bill amounted to upwards of 280*l.* Some of the items were as follows:—

To tracing 260 descents, at 5*s.* each	£39	0	0
Tracing out and sketching 426 Coats of Arms, at 5*s.* each	106	10	0
Sketches of 81 Coats of Arms for the Hall, at 5*s.* each, and 21 Crowns and Coronets at 1*s.* each, &c.	45	0	0
A Painting of the Arms of the Defendant on vellum	10	10	0
Expences going to, and returning from, the Defendant's seat in Nottinghamshire, at 2*s.* 6*d.* per mile	31	10	0

Upon this the defendant requested that the draft might be sent to him, but as the plaintiffs had no other guide to go by, they refused to give it up to him, but permitted his Attorney to have it, who unluckily lent it to him, and he never returned it, but pretended that the waiter at the hotel had lighted the fire with it. He, however, wrote the plaintiffs a letter, stating that he had applied their nonsense to the only use for which it was fit, and made a nasty allusion to some Monkish lines, which we cannot repeat. The fit of heraldric vanity was over with him then, and he began to perceive that what he had been ordering was all nonsense. He had employed the plaintiffs to fit him with a fool's cap; but he must pay for it, and the maker of the fool's cap, said the Attorney-General, must not be fooled out of his money expended in the decorations. If it was his folly, he was a rich man, and might say—

"Nostræ stultitiam paliuntur opes."

"I am rich enough to be a fool."

He must not afterwards be allowed to cheat the plaintiffs of their money and the just rewards of their labour, because he has changed his mind. At first he thought blood was every thing, now he chooses to think virtue every thing, and says *stem mata quid facirent*—let every man be his own ancestor—pedigrees are good for nothing, unless they happen to be drawn upon *soft* paper.

Mr. Murray and Mr. Hawker, from the Herald's Office, were called, who proved the Plaintiffs' case; and upon being cross-examined by Mr. Garrow, whether they could not give any man a pedigree up to the Norman Kings, and whether they did not deal in fiction? stated that the Records in the College were very accurate down to 1690, when the visitation by the College of Arms ceased, and that they always required strict evidence

to shew a descent from persons whose pedigrees are recorded there.

Mr. GARROW, in reply, endeavoured to beat down the amount of the plaintiff's demand, and told some humorous stories, among which was, that of an Alderman, who applying to the College of Arms for his pedigree, was told by the porter, that there was no body in the way but the Green (*Rouge*) Dragon, who was asleep by the office fire, but he would go and wake him. When the poor Alderman ran away in a fright, saying he'd be damned if he staid to be swallowed up by a fiery Dragon. As for the Heralds, and Mr. Windsor Herald in particular, he did not mean to undervalue them, he respected them not less than a learned Judge, the late Mr. Justice Gould, who seeing one of them in Westminster Hall, with his *tabard* on, all bedizened with embroidery, stumbled up against him, and begging his pardon, said, he hoped he had not offended him, but really he had taken him for a gilt arm chair, and was just going to sit down upon him. After some observations upon the charge of 2s. 6d. a mile for going down in the shooting season to eat venison and drink wine, he left it as a mere question of the quantum of damages.

Lord ELLENBOROUGH summed up the evidence, and the Jury gave a verdict for plaintiffs—Damages 268l. 11s. allowing 20 guineas only for the journey.

Wednesday, June 28.

THE KING *v.* THE DUKE OF GORDON.

Mr. WIGLEY moved to put off the trial of this cause, which was an indictment against the defendant for an assault, with an intent to commit a rape upon one Sarah Waite.

The prosecutrix, it was now stated, was ill of a fever, and could not attend to give evidence without danger of her life. It was stated, that the prosecutrix might be visited by any medical man in the presence of Mr. Robertson, the medical attendant of the prosecutrix.

The ATTORNEY-GENERAL said, that his Noble Client being seventy years of age, such a prosecution being suffered to be kept in suspense over his head, must be to him the greatest misfortune of his life. That is, he meant to say, only the keeping it in suspense.

Lord ELLENBOROUGH said, that it was essential to justice that such a cause should be brought on as speedily for trial as possible, but it was also impossible to proceed without the evidence of the prosecutrix. He would therefore put off the trial till Tuesday next, and in the interval the medical adviser of the noble defendant might visit the prosecutrix, but he thought it not right to impose terms of giving notice when he was to visit her, and in the presence of whom, for that might possibly lead to imposition.—The trial was accordingly put off.

Friday, June 30.

NEALE *v.* CONANT, ESQ.

This was an action by the Plaintiff, a money-lender, of the Annuity Bank, Knightsbridge, against Mr. Conant, the Magistrate, for an Assault and false Imprisonment, arising out of the following very strange circumstances which were detailed in evidence. In the year 1806 a young Lady, whom the neighbours described to have been of very delicate and elegant appearance, was in the habit of coming to the house of the Plaintiff, in John-street, Golden-square. At first she used generally to come in a Hackney Coach, but the latter part of the time she used to come in her own chariot. After visiting for about six months, she became an inmate at Neale's house, and soon afterwards the neighbourhood was continually disturbed at night, with the shrieks of a female voice in distress, and with the cries of murder. At length one night in the month of June 1806, the cries were very alarming and violent, a voice crying out, that Neale was going to shoot her. Reynolds and two other Marlborough-street Officers broke into the house. They found no one within but a wretched female in a back room fastened, perfectly naked, and no clothes lying near. There was a crust of bread and some water in the room, and the bed was bloody. This it appeared was the same female who had formerly visited Neale, but she was when discovered dreadfully emaciated, and quite deranged in her intellects. She was taken to St. James's workhouse, where every attention was paid her, and occasionally in her lucid intervals she would exclaim, "it is the villain Neale who has brought me to this state." Her name was Eliza Davis, and she was of a Welch family, but no more of her history was disclosed. Upon the state of facts, Mr. Conant issued his warrant, and apprehended Neale, and for this he had the effrontery to bring his action, alledging he was apprehended without any warrant, or legal charge on oath to warrant the issuing of it. When brought before the Magistrate he refused, he said, to criminate himself, that the lady had put herself under his protection, but declined any other explanation. The servant maid in his service was produced, who said that the unfortunate girl was deranged and given to drinking of spirits, but it appeared she had left the house a week before the Officers broke into it, and during that time she was left alone in the house in the state in which the officers found her. It was proved by the books of the office that the officer laid the information on oath, and that the warrant was regularly issued.

Lord ELLENBOROUGH said the plaintiff must be non-suited. He had at first feared that the Magistrate, excited by honest feelings, had perhaps acted irregularly, in granting his warrant information, in which case the Jury, however painful it might have been, must have found a verdict against him—but he rejoiced he had not done so. The plaintiff must therefore pay the costs of this action; and he was spared the summing up on this business, and those observations which must arise on the conduct of the plaintiff.

The unfortunate female is now with her relations in Wales.

COURT OF COMMON PLEAS, WESTMINSTER.

Tuesday, June 27.

ASHLEY *v.* DRUMMOND, EXECUTOR OF BOTHWELL.

This action was brought to recover the sum of 500l. and upwards, against the executrix of the late Colonel Bothwell, by Messrs. C. and C. Ashley.

The evidence was in substance, that the Ashleys, well known in the musical world, had for the last seven years been in the habit of attending occasionally upon Colonel Bothwell, who was himself a proficient in music, and performing along with him. It was proved that they went to Canterbury and to Hastings, where they continued some time, living in the Colonel's house, and they were upon a very familiar footing with him. They and the Colonel sometimes performed together for some hours in the mornings of Thursday and Sunday, when he lived in town, in Albemarle-street—that if they happened to be passing while the Colonel was playing they stept in without being asked. No charge was pretended to have been made in the Colonel's life time. It even appeared from the evidence of Capt. Tomkins, that Col. Bothwell had given 50l. to Mr. Christopher Ashley, for some purpose, for which it was afterwards found not to be wanted; and upon Mr. Ashley offering it back again, that the Colonel desired him to keep it by way of remuneration, and that Mr. Ashley refused.

Sir J. MANSFIELD did not see how the demand could be supported, for if Messrs. Ashley had attended the Colonel not as private friends, but as professional men, it was unaccountable that they should never have made a demand in his life time.—Verdict for the defendant.

Wednesday, June 28.

SMALLHORN *v.* VENNE.

The defendant charged the plaintiff with having embezzled a 7s. piece belonging to the funds of a Friendly Society to which he was Secretary. An altercation arose in consequence; the result of which was, that the defendant gave the plaintiff a knock on the head with a small book, called *Relief to all in Distress*. The plaintiff had a bloody nose and black eye, which latter was soon cured by the application of about a quarter of a pound of raw beef.—Verdict for the plaintiff—Damages 10l.

Thursday, June 29.

THE EARL OF LEICESTER *v.* WALTERS AND OTHERS.

Mr. Serjeant BEST, on the part of the plaintiff, stated, that that this was an action brought against the defendants, as Pro-

prietors of the *Morning Herald*, for a libel, one of the worst that ever was investigated in a Court of Justice: when the nature of the libel and the rank of the plaintiff were considered, he was convinced that the Jury would not consider the damages, which were laid at 20,000l too large. Notwithstanding the atrocity of this libel, he had been authorised to forego the prosecution if the defendants would give up the author.

[Here Mr. Serjeant COCKLE observed, it was not in the power of his clients to give up the author, they not being able to guess even who the author was.]

Mr. Serjeant BEST resumed; in the reign of Charles the 1st, a monster in the human form, Lord Audley, had been convicted of a shocking unnatural crime, and in aggravation of that crime, of aiding and assisting in a rape committed on the body of his own wife; of these atrocious offences he had been found guilty and executed. The libel complained of appeared in the *Morning Herald*, and imputed to his client crimes similar to those of Lord Audley; that a separation from his Lady had been the consequence, she having exhibited articles against him in Doctor's Commons. A second libel had been afterwards inserted, stating that his Lordship had left the kingdom, in consequence of charges having been exhibited against him by his Lady, similar to those exhibited by Lady Castlehaven against her Lord, in 1631, for which he had been doomed to an ignominious death, and that a special warrant had been issued for his apprehension. From certain circumstances, it was very apparent that these paragraphs alluded to the plaintiff; that they were false there could be no doubt, as the Noble Lord at that time was living happily with his lady. It would be said that the Editors of Newspapers could not possibly be supposed to know the author of every paragraph that made its appearance in their paper; he would readily allow that some of the defendants might be ignorant; but no Editor ought to publish such paragraphs as the libel in question, without knowing who was the author. Such was the horror of persons at the crime imputed to the Noble Lord in this libel, that though the Jury should acquit him ever so clearly, yet the stigma would always attach to his character. He was however fully persuaded the Jury would do all in their power to make him compensation; and when the magnitude of the libel and the rank of the libelled were considered, he was fully persuaded they would give damages to the full extent to which they were laid.

Mr. Mills, Solicitor to his Lordship, said he had no doubt of the paragraphs applying to Lord Leicester.

On his cross examination by Mr. Serjeant COCKLE, he was asked why he supposed the paragraphs alluded to Lord Leicester? —Answer. Because they alluded to the son of an English Marquis, who had a suit pending in Doctors' Commons, and who was separated from his wife. Did not know any other person to whom they could apply. Had heard flying rumours respecting Lord Leicester, and had been requested by his Lordship, to let him know if he heard any on which he could lay his finger. Had known Lord L. about four years; had dined at his Lordship's, in Westburn-place, just previous to his marriage, with his Lordship's family; his Lordship had been married about twelve months when the separation took place between him and his lady; they were not separated till April last.

Mr. Serjeant COCKLE addressed the Jury on behalf of the Defendants; his Learned Friend had imputed malice to the Defendants; if he could for a moment entertain such an idea, or that the foul and false aspersion, if it were a false one, had originated with them, he would immediately throw up his brief and abandon the cause; it was plain, however, that it did not originate with them; so far from it, the only witness his Learned Friend had called, had stated that flying rumours had existed in town, and to such an extent that his Lordship had directed him to look out for something on which he might put his finger. His Learned Friend had called on him to give up the author of the paragraph; every means had been tried to discover him, but without effect, and they had offered to make affidavit of that circumstance. It had been inserted by some person who was in the custom of writing paragraphs for the paper, and who was in the confidence of the proprietors. He was no advocate for slander; much good was derived to the public from the daily prints, and if it was proper to have daily prints and daily news, great allowance should be made for errors which might unavoidably find their way into the public prints, and if in the hurry of business errors were inserted, the proprietors should not be considered as the authors. If, however, they lent themselves as the vile instrument of designing persons, they could not be punished too severely. The happiness of the country was allowed in a great measure to depend upon the liberty of the press, and if that was the fact, we ought to take the good with the bad; It had been asserted on the part of the plaintiff, that it would be proved that such was the purity of character of the Noble Lord that not even the breath of calumny could wing an arrow against him. But how had that assertion been supported? had any of that person's noble relatives been called? had any of the noble friends, which a Nobleman of his rank might naturally be supposed to have, appeared in his behalf? no such thing. One solitary witness had been called to prove that circumstance and his Lordship's connubial happiness, and he seemed to have been called for no other reason than because he knew nothing about it! His Lordship had married in 1807, and was separated from his Lady in 1808. What had been the state of connubial happiness which that unfortunate Lady had experienced in the marriage state? She had passed three or four sleepless nights with her Lord and no more, for at the end of that time they had totally separated from bed, and almost from board. That unhappy Lady had concealed her anguish in her own breast as long as possible; but she had been forced to associate, at least to sit at table with wretches, the companions of her Lord, who were a disgrace to human nature! At length, to shun such society, whenever his Lordship was at his house at Paddington, her Ladyship was in town; and when he was in town, she was passing her solitary hours at Paddington. Under these circumstances, she had been obliged at last to utter her complaints and sue for a separation. If the Jury should find that rumours to the discredit of the Noble Lord had been afloat, within the the highest and the lowest circles in this town, for upwards of twenty years, it would be for them to consider what injury his character could have sustained from the publication now complained of.

A female was then called, who stated that she lived with Lady Leicester at the time of her marriage. Lord L. and her Ladyship slept together only three nights. Three men were the constant visitors to his Lordship; Lady L. used to dine with them when she was at the same house with his Lordship; on the last day of August Lady L. went to Chatris, Lord L. went with her, but continued there only two days; Lady L. stopped till November, but his Lordship did not come down any more.

Mr. Haradan, an artist, at Cambridge, knew Lord Leicester at the University; he was then Lord Chartley. Neri, one of the persons who visited his Lordship, lived with him as servant at that time.

Mr. John Newby, chapel clerk of Trinity College, remembered Lord Chartley at College; Neri was then with his Lordship as his servant. He used to be shut up for four or five days together, when Neri would play on the guitar, and his Lordship sing. Lord Chartley had a peculiar manner of dressing his head like a lady, and wearing lady's shoes—was quizzed by the town, and called *Miss Chartley* and *Lady Chartley*.—The witness had heard unfavourable reports of his Lordship, but he did not credit them.

Colonel Rainsford, of the Guards, was Adjutant in the year 1806; observed then several of the soldiers, when out of regimentals, better dressed than himself. Many of them were in possession of gold watches, among others one Frith, who had a gold watch, which Col. R. had discovered to have been sold by a Mr. Hamlet to Lord Chartley. Had heard reports that Lord Chartley had been seen often walking arm in arm with the private soldiers.

Lord John Townshend, uncle to Lord Chartley, declared, that his acquaintance with his nephew had ceased since 1804; that all intercourse between Lord C. and his father had ceased,

not from any family disagreement, but from his conduct being highly exceptionable.

Lord Chief Justice MANSFIELD said, that persons were at liberty to publish what they pleased; but if they published libels against either the Government or private persons, they were answerable. The Plaintiff must have a verdict, and it would be for the Jury to estimate the injury he had sustained. If reports injurious to the character of the Plaintiff had existed previous to this action, they must take into the estimate, whether any injury had arisen from the publication in question to the Plaintiff's character. Five witnesses had been examined to prove such reports had existed.—The Jury retired for upwards of an hour, and at length returned with a Verdict of *One Thousand Pounds damages for the Plaintiff.*

COURT OF EXCHEQUER.

SEDUCTION.—STRANGE v. GORE.

This was an action brought by the plaintiff, a watchmaker at Kingston-upon-Thames, against the defendant, a Captain of Dragoons, stationed at Hampton Court, for the purpose of recovering compensation for the seduction of his daughter—a beautiful girl from 14 to 15 years of age.

Mr. DAUNCEY stated the case, and then read some very ardent love-letters written to the girl after the seduction. The father, they would recollect, was bound by law to support his daughter, while he was now deprived of the hope of procuring her an honourable establishment by marriage, owing to the gross misconduct of the defendant, who, they would also remember, was nearly allied to some noble families, and able to afford a liberal compensation. Under all the circumstances, they would either give the whole of the damages, which were laid at 5000l. or at least a very considerable portion of that sum.

Miss Lydia Strange deposed, that on the 1st of January last she went to Hampton Court, on a visit to the house of a Mr. Vear, who had some charge of the Palace. While walking in the cloisters with Jane Hicks, the maid-servant, she met Captain Gore, whom she had seen at Kingston before, but had never spoke to—Captain Gore passed on without speaking to her, but spoke to Jane Hicks. A day or two after Jane Hicks proposed, by way of joke, that they should go and throw some gravel at the window of Captain Gore. She assented, and the servant threw the gravel, upon which they both ran away—but Captain Gore followed them, and having come up, took her by the hand. They were not together more than five minutes, as Jane Hicks came up and told her that Mrs. Vear was waiting for her. Another time she happened to go into the chapel, and Captain Gore followed her. He took off his hat and kissed her; but observing some men at work, he left her there. Some time after he returned, and bolted the door. Jane Hicks was there at that time. Captain Gore entreated that he might see her in the evening, which she refused—and then Captain Gore begged of Jane Hicks to persuade her to meet him. Captain Gore gave her some grapes, and to Jane Hicks he gave a one pound note. He asked her when she was to return to Kingston, and she told him that she was to return the next day. She next stated that she had gone home to Kingston—but for some reason, not material to the cause, she had gone to Hampton Court almost immediately after. As she was out walking with Miss Vear, a child of about ten years of age, she saw Capt. Gore in a curricle, along with a Lieut. Lister. They passed on without any thing having been said. But Capt. Gore came to them soon after, and persuaded them to go to his lodgings. They went and continued there till it was pretty late. He gave them three kinds of wine—Claret, Madeira, and Hock.—She drank of them all. In answer to a question from the Lord Chief Baron, she said, that she had sometimes before drank wine. They then proposed to return home, and Capt. Gore said he would walk home with them. They however went to walk by the wall of Bushy Park. Soon after she heard a noise, as of one walking behind. Capt. Gore whistled, and then called out Henry, and then Mr. Lister came up. The latter took the arm of Miss Vear, and walked on with her, leaving the witness and Capt. Gore behind. She soon after saw somebody with a lantern coming up, upon which Capt. Gore proposed to her to cross the road, that they might not be observed. From the voice of him who passed, who pronounced the name of "Strange," she knew it was Mr. Vear. She then said to Capt. Gore, that she was afraid to return home after being out so late—upon which he proposed she should go with him, and he would take her to a young lady.—She refused at first, but he afterwards persuaded her. They then walked on—when she asked whether the residence of the young lady was far off. He said not very far off. They got a post-chaise at Hounslow. This chaise broke down, but they got another, and proceeded straight to London. They were set down at Leicester-square. From this they walked to a house in Chandos-street, where they had refreshments and wine. She went to bed, and soon after Capt. Gore came to the bed-room undressed. She asked him if he intended to sleep there? He answered "yes;" upon which she said, he should not sleep there—but he said he would, and in fact did sleep with her. Next morning they went to a house in South-street, Soho-square, where she saw a Miss Dunn, and there they continued for that night. Mr. Lister called next morning, and they went to the house of a Mr. Dessin, or Vessey, an Attorney, where they staid half an hour, and then drove to an hotel in a hackney coach, where they dined.—Lodgings were then taken for her in Thanet-place, Temple-bar, where she and Capt. Gore lived under the names of Mr. and Mrs. Graham, till they were discovered by the Bow-street officers, and she was carried to her father's. The whole of this took place between the 1st and 12th of January.

Cross-examined by Mr. Serjeant BEST.—She admitted that she had nodded to Capt. Gore from a window in Kingston, before he had ever spoken to her. She often talked of Capt. Gore among her acquaintances, and was sometimes by them called in jest "Mrs. Gore." Her mother had been dead eight years—her father had two years after taken into the house a woman of the name of Sarah Wood, who had been bar-maid of the Castle Inn, Kingston, but she always understood that they were married, although stories were going about that they were not married. Her brother, she admitted, had threatened to leave the house if that woman was allowed to continue in it.

Miss Budd, who keeps a boarding-school at Richmond, said, that the girl had been latterly at her school, and was well-behaved. Her father visited her regularly, and appeared very attentive to her in every respect.

Mary Brooks proved that lodgings had been taken for Capt. Gore and Miss Strange, under the names of Mr. and Mrs. Graham, on a Sunday, at her house in Thanet-place. She was struck with the youth of the lady, and had a conversation with Capt. Gore on Monday morning, in the course of which she remarked that the young lady appeared to be scarcely sixteen. Capt. Gore replied, that she was nineteen years of age—that they had been married fourteen months, and he had known her eighteen.

Anthony, the officer, was called to prove that he had received the reward promised by her father for the discovery.

Mr. Serjeant BEST made an able speech in mitigation of damages. The two points upon which he chiefly insisted were—1st, that the father himself had set an example of vice to his daughter, in living with a woman in a state of fornication; and, 2dly, that the daughter herself had exhibited a levity of conduct in making a signal to Capt. Gore, who had never spoke to her before, which deprived the plaintiff of all pretence for large damages. They ought to consider that not a farthing of what they gave might ever find its way into the pockets of the girl. He also stated, that though Capt. Gore was allied to some distinguished families, he was in very narrow circumstances, and large damages would ruin him.

The LORD CHIEF BARON observed, that an improper levity in the girl would, no doubt, extremely diminish the claim of the father to damages. But they would consider whether the youth of the young woman was not to be taken into account. In a woman of eighteen, who must have been aware of the construction which might have been put on such behaviour, it would be unpardonable. But with respect to a young-

girl, who was only from fourteen to fifteen years of age, the case was different. With regard to the conduct of the father, whether he was married or not to the woman mentioned, his daughter had been very little in her society, as it appeared that she had been kept at school for the greater part of the time that Mrs. Strange, or Sarah Wood, which ever she was, lived in her father's house. In the course of the charge, the Learned Judge adverted to the conduct of Jane Hicks and Lieut. Lister, in terms of the severest censure, and said, that there was evidence of a conspiracy between them and the defendant to ruin this ignorant young woman. Upon the whole, he thought they must find for the plaintiff, and that they must give damages.

The Jury retired for a few minutes, and then found their verdict for the plaintiff.—Damages, 1500l.

WESMINSTER SESSIONS.

Monday, June 26.

Charles Chisholme, Esq. stood indicted for assaulting a Mr. Blacklin, on Sunday evening, the 7th of May last, at the Prosecutor's house, in Blenheim-street, Oxford-street. It appeared from the evidence, that the Prosecutor lived with his sisters, who are reputable milliners, in Blenheim-street, and the Defendant, a young man of seeming fashion, lodged at the Blenheim-hotel, immediately opposite. The Defendant was observed to have acted, at various times, with the most reprehensible impropriety, both in his room, which looked towards the Prosecutor's house, and in the street opposite the house; more particularly on the evening of the day stated in the indictment, when he was observed by the Prosecutor to walk backwards and forwards several times in front of the house, casting his eyes towards the drawing-room where the Miss Blacklins then were, with some of their female acquaintance. The Prosecutor observing this conduct, called out and desired him to go about his business, or get home to his garret; upon which the Defendant crossed the way, and desired to know if Mr. Blacklin had addressed himself to him? Mr. Blacklin answered in the affirmative. Upon which the Defendant vaulted over the railings, got partly in at the parlour window, struck the Prosecutor repeatedly, and called him *coward, rascal, pettifogger*, and *liar*. He was at length forced back from the window, but continued by his clamour to raise a mob round the door, and threatening all manner of violence against the Prosecutor if he dared to come out.—No evidence was offered on the part of the Defendant;—the Jury instantly found him *Guilty*: and he was sentenced to *two months imprisonment in the House of Correction*.—The Defendant, a smart young man about 25, fashionably attired, went through his ordeal with an easy confidence, until the passing of his sentence, which seemed a good deal to affect him.

OLD BAILEY.

Friday *Samuel Davey* was indicted for the wilful murder of his wife and child. This was the case of the poor shoemaker who lately killed his wife and child in Skinner's-street, Somer's Town. It appeared clearly that he was insane; he was therefore acquitted of the murder, and ordered to be detained for safe custody under the late Act of Parliament.

James Ayres and *Wm. Robinson*, two lads, were indicted for the wilful murder of William Dormer. By the evidence, it appeared that Ayres and Dormer had quarrelled, and by agreement were to fight in Haggerston-fields, near Hackney. They fought 14 rounds, when Dormer received a blow behind the ear which felled him. He rose again, but died in a few minutes afterwards. The prisoner Robinson acted as the second of Ayres.—They were found guilty of *Manslaughter*.

ACCIDENTS, OFFENCES, &c.

Monday evening an inquest was held at the Cheshire Cheese, in Surrey-street, on the body of the young girl who was found drowned on Monday morning, near Arundel-stairs. It appeared that she was about 17 years of age, and was the daughter of a respectable shopkeeper in St. Martin's-le-Grand.—Early on Friday morning she left her father's house, and went to visit an aunt and a sister at the West-end of the town. On Friday night her aunt went to see her home, but she gave her aunt the slip, and was not afterwards heard of until she was found drowned.—*Verdict—Found drowned.*

On Monday, about the middle of the day, a young woman of decent appearance walked into the Thames, at Arundel-stairs. Some watermen put off a boat, and brought her on shore. She then went to Milford-lane, threw herself in a second time, and was a second time saved. After this, she went to Strand-lane, threw herself in again, and was again dragged on shore. The parish officers then interfered, and took her to the workhouse, but she refuses to disclose her name or connections.

An elderly woman of the name of Maine, housekeeper to Mr. Mabbot, in Devereux-row, Mary-le-bone, sitting up for her master on Wednesday morning, fell asleep as it is supposed and set fire to her apparel. The first alarm was given by a watchman, who discovered an unusual light in the first floor room, and found the room in flames. By prompt assistance the fire was got under, after destroying the wainscot and furniture, but the poor woman was burnt to death.

EXECUTION.

Captain J. Sutherland, convicted of murdering Richard Wilson, his cabin-boy, was executed on Thursday morning at Execution Dock.—At eight o'clock a cart was drawn to the felons'-door of Newgate, and in about a quarter of an hour the unfortunate man was brought forth, with his hands pinioned, a prayer-book in one hand, and a *bouquet* in the other; and having mounted the cart, the rope which bound his arms was tied to the front rail. The executioner and his assistant then seated themselves on each side of him, and the cart advanced, preceded by the Admiralty Marshal, 16 Sheriffs' officers on horseback, and about fifty constables on foot.—The City Marshals and their men also attended to the limits of the City. The cavalcade proceeded through Newgate street, Cheapside, Cornhill, Leadenhall-street, Whitechapel, the Commercial-road, and Cannon-street, to the place of execution. During the passage, the wretched man appeared to pray with great devoutness, and was observed writing with a pencil in his prayer-book. On his near approach to Execution Dock, his hands were tied, and on his arrival at the spot, he was lifted out of the cart, and walked down the slip which led to a temporary gibbet, erected a few yards from low-water mark. On the arrival of Dr. Ford, the Ordinary of Newgate, he begged to be allowed a few minutes to pray. This indulgence was granted; and having mounted the platform, he remained nearly fifteen minutes in the most solemn and devout prayer, Dr. Ford reading a form of prayer, which he had prepared for the awful occasion. The wretched man then, in a firm and collected tone of voice, solemnly declared his perfect conviction that the wounds which he gave the boy were not the cause of his death; he denied having pierced his intestines, and said he felt thoroughly convinced the boy died for the want of proper care, and from some cause foreign to that for which he was about to suffer. He then delivered up his prayer-book to the executioner, and Dr. Ford having withdrawn, he threw his *bouquet* amongst the crowd, and was launched into eternity.

DEATHS.

On the 31st of May, at Gumpendorf, at the advanced age of seventy-nine, Joseph Haydn, the celebrated composer.

Lately at Smidholm, North Britain, at 93 years of age, a poor woman named Burgess. She had been 67 years married to one husband; and before her death, 113 could call her mother, grand-mother, and great-grand-mother. Thirty-seven of these were great-grand-children.

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